

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

AK MEETING IP LLC,

Plaintiff,

v.

ZOHO CORPORATION,

Defendant.

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Civil Action No. 1:22-cv-01165-ADA

**AGREED SCHEDULING ORDER**

Deadline	Item
08/09/2023	Parties exchange proposed claim constructions.
08/16/2023	Parties disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony. <sup>1</sup> With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.
08/23/2023	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.
08/30/2023	Defendant files Opening claim construction brief, including any arguments that any claim terms are indefinite.
09/20/2023	Plaintiff files Responsive claim construction brief.
10/04/2023	Defendant files Reply claim construction brief.
10/04/2023	Parties to jointly email the law clerks ( <i>see</i> OGP at 1) to confirm their <i>Markman</i> date and to notify if any venue or jurisdictional motions remain unripe for resolution.
10/18/2023	Plaintiff files a Sur-Reply claim construction brief.
10/04/2023	Parties submit Joint Claim Construction Statement and email the law clerks an editable copy.  <i>See</i> General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).
10/23/2023	Parties to jointly email the law clerks ( <i>see</i> OGP at 1) to confirm their <i>Markman</i> date and to notify if any venue or jurisdictional motions remain unripe for resolution.
10/25/2023	Parties submit optional technical tutorials to the Court and technical advisor (if appointed).
11/09/2023 (or as soon as practicable) <sup>2</sup>	<i>Markman</i> Hearing at 9:00 a.m. This date is a placeholder and the Court may adjust this date as the <i>Markman</i> hearing approaches.
11/10/2023	Fact Discovery opens; deadline to serve Initial Disclosures per Rule

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<sup>1</sup> Any party may utilize a rebuttal expert in response to a brief where expert testimony is relied upon by the other party.

<sup>2</sup> All deadlines hereafter follow the original *Markman* hearing date and do not change if the Court delays the *Markman* hearing.

	26(a).
12/21/2023	Deadline to add parties.
01/18/2023	Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to infringement or invalidity contentions. This deadline does not relieve the parties of their obligation to seasonably amend if new information is identified after initial contentions.
02/29/2024	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)
05/09/2024	Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's law clerk to arrange a teleconference with the Court to resolve the disputed issues.
06/06/2024	Close of Fact Discovery.
06/13/2024	Opening Expert Reports.
07/11/2024	Rebuttal Expert Reports.
08/01/2024	Close of Expert Discovery.
08/08/2024	Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. If it helps the parties determine these limits, the parties are encouraged to contact the Court's law clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.
08/15/2024	Dispositive motion deadline and <i>Daubert</i> motion deadline.  <i>See</i> General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).
08/29/2024	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, deposition designations).
09/12/2024	Serve objections to pretrial disclosures/rebuttal disclosures.
09/16/2024 (8 weeks before trial)	Parties to jointly email the Court's law clerk ( <i>See</i> OGP at 1) to confirm their pretrial conference and trial dates.
09/19/2024	Serve objections to rebuttal disclosures; file Motions <i>in limine</i> .
09/26/2024	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, deposition designations); file oppositions

	to motions <i>in limine</i> .
10/03/2024	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Kristie Davis at <a href="mailto:kmdaviscsr@yahoo.com">kmdaviscsr@yahoo.com</a>  Deadline to file replies to motions <i>in limine</i> .
10/10/2024	Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> .
11/06/2024 (3 business days before Final Pretrial Conference)	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .
10/17/2024 (or as soon as practicable)	Final Pretrial Conference. Held in person unless otherwise requested.
11/11/2024 (or as soon as practicable) <sup>3</sup>	Jury Selection/Trial.

Dated: July 6, 2023

Respectfully submitted:

/s/ William P. Ramey, III (with permission)

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<sup>3</sup> If the actual trial date materially differs from the Court's default schedule, the Court will consider reasonable amendments to the case schedule post-*Markman* that are consistent with the Court's default deadlines in light of the actual trial date.

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*Attorneys for Plaintiff Zoho Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing is being served on the counsel of record via the CM/ECF system on July 6, 2023.

By: /s/ Phillip J. Haack  
Phillip J. Haack